

¹ The Plaintiff's Response, like her Complaint, is difficult to understand, often times bordering on incomprehensible.

If the Plaintiff fails to serve the defendant within 120 days, “the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m). Good cause exists “only when some outside factor[,] such as reliance on faulty advice, rather than inadvertence or negligence, prevented service.” *Lepone-Dempsey v. Carroll County Com’rs*, 476 F.3d 1277, 1281 (11th Cir. 2007) (internal quotation marks and citation omitted). However, even in the absence of good cause, “a district court has the discretion to extend the time for service of process” if, for example, the statute of limitations would bar the refiled action. *Id.* (internal citation omitted).

Here, the Plaintiff has failed to demonstrate good cause for her failure to serve the Defendant. Furthermore, having reviewed the Plaintiff’s Complaint, the Court is of the opinion that, under the facts of this case, a permissive extension of time to effect service on the Defendant is not warranted. Accordingly, the Plaintiff’s Complaint is **DISMISSED without prejudice.**

SO ORDERED, this 3rd day of March, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT